

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	CASE NO. 1:10-CR-123
v.)	
)	Chief Judge Curtis L. Collier
KENNETH LEE McCULLOUGH)	

ORDER

On October 4, 2010, Magistrate Judge William B. Mitchell Carter filed a Report and Recommendation (R&R) recommending (a) the Court accept Defendant's plea of guilty to Count One of the Bill of Information in exchange for the undertakings made by the government in the written plea agreement; (b) the Court adjudicate Defendant guilty of the charges set forth in Count One of the Bill of Information ; (c) a decision on whether to accept the plea agreement be deferred until sentencing; and (d) Defendant remain in custody pending sentencing in this matter (Court File No. 9). Neither party filed an objection within the given fourteen days. After reviewing the record, the Court agrees with the magistrate judge's R&R. Accordingly, the Court **ACCEPTS** and **ADOPTS** the R&R pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

(1) Defendant's plea of guilty to Count One of the Bill of Information, in exchange for the undertakings made by the government in the written plea agreement, is **ACCEPTED**;

(2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Bill of Information ;

(3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and

(4) Defendant **SHALL REMAIN IN CUSTODY** pending sentencing on **Thursday, January 13, 2011, at 2:00 p.m.**

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE